

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

KENNY HENDRIX,

Petitioner,

vs.

UNKNOWN, *et al.*,

Respondents.

2:10-cv-02140-JCM-GWF

**ORDER**

This action was originally filed in the United States District Court for the Northern District of California. On December 6, 2010, an order of transfer was entered, transferring the action to this court. (ECF No. 4). The order of transfer notes that this case is a *pro se* petition for a writ of habeas corpus filed by an inmate housed in Nevada. (*Id.*).

On review of the record, plaintiff failed to submit an operative pleading – either a petition or complaint. Additionally, petitioner failed to submit either an *in forma pauperis* application or a filing fee. Unless an issue of federal constitutional or statutory law is implicated by the facts presented, there is no cognizable claim under federal habeas corpus. *Estelle v. McGuire*, 502 U.S. 62, 68 (1991). As there is no petition or other pleading filed in this action, it will be dismissed, without prejudice to filing a petition as a new action.

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